

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ANTHONY D'ACQUISTO, et al.,
Plaintiffs,

v.

Case No. 05-C-0810

ALEXANDRA TRIFFO, et al.,
Defendants.

ORDER

By letter dated October 3, 2005 plaintiffs request leave to serve defendant Alexandra Triffo, a resident of Vancouver, British Columbia, with summons and complaint by alternative service. Plaintiffs have attempted to serve defendant Triffo without success and assert that she is concealing her whereabouts. As such, plaintiffs request that I allow them to send the summons and complaint by mail to defendant Triffo's sister, Sheila J. Triffo. Plaintiffs assert that defendant Triffo previously responded to communications left with her sister. Fed. R. Civ. P. 4(f) governs international service of process. For proper foreign service, Rule 4(f)(1) directs parties to the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, Nov. 15, 1965, 20 U.S.T. 361, T.I.A.S. No. 6638, 658 U.N.T.S. 163 (hereinafter Hague Convention), of which Canada is a member.

Plaintiffs have not indicated that they have first attempted to serve Triffo through other means provided by Canada under the Hague Convention or other agreement. Plaintiffs are, therefore, directed first to use such methods. Following a showing that such

methods were ineffective, plaintiffs may then renew their motion to serve defendant Triffo through alternative means.

SO ORDERED at Milwaukee, Wisconsin this 19 day of October, 2005.

/s _____
LYNN ADELMAN
District Judge